

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

Southern

District of

New York

Antonia Hernandez

SUMMONS IN A CIVIL ACTION

V.  
United Wire, Metal and Machine Pension Fund,  
et al.

**Judge Berman**

CASE NUMBER:

**08 CV 2507**

TO: (Name and address of Defendant)

United Wire, Metal and Machine Pension Fund  
10 East 15th Street  
New York, NY 10003

**YOU ARE HEREBY SUMMONED** and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Andrew W. Robertson  
Milbank, Tweed, Hadley & McCloy LLP  
1 Chase Manhattan Plaza  
New York, NY 10005

an answer to the complaint which is served on you with this summons, within 20 (twenty) days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

**J. MICHAEL McMAHON**

**MAR 12 2008**

CLERK

DATE

(By) *Jessica Doss*  
DEPUTY CLERK

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<b>RETURN OF SERVICE</b>		
Service of the Summons and complaint was made by me <sup>(1)</sup>	DATE	
NAME OF SERVER ( <i>PRINT</i> )	TITLE	
<i>Check one box below to indicate appropriate method of service</i>		
<div style="margin-bottom: 10px;"> <input type="checkbox"/> Served personally upon the defendant. Place where served: </div> <div style="margin-bottom: 10px;"> <input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.  Name of person with whom the summons and complaint were left: </div> <div style="margin-bottom: 10px;"> <input type="checkbox"/> Returned unexecuted: </div> <div> <input type="checkbox"/> Other (specify): </div>		
<b>STATEMENT OF SERVICE FEES</b>		
TRAVEL	SERVICES	TOTAL <b>\$0.00</b>
<b>DECLARATION OF SERVER</b>		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <p>Executed on _____ Date _____ Signature of Server _____</p> <p style="text-align: center; margin-top: 20px;">_____ Address of Server</p>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

# AFFIDAVIT OF SERVICE

UNITED STATES DISTRICT COURT /SOUTHERN DISTRICT OF NEW YORK  
No. 08 CV 2507

**ANTONIA HERNANDEZ,**  
*Plaintiff,*  
*-against-*

**UNITED WIRE, METAL AND MACHINE PENSION FUND, ET AL,**  
*Defendants.*

State Of New York, County of New York SS:

**ROBIN RAMSON**

Being duly sworn, deposes and says that he is over the age of 18 years, is not a party to this action and resides in New York.

That on the 13<sup>TH</sup> day of **MARCH 2008**, At: **2:55 PM**

At: **10 EAST 15<sup>TH</sup> STREET, NEW YORK, NEW YORK 10003**

Deponent served the Annexed: **SUMMONS IN A CIVIL ACTION, VERIFIED COMPLAINT, INDIVIDUAL PRACTICES OF HON. RICHARD M. BERMAN AND INDIVIDUAL PRACTICES OF MAGISTRATE JUDGE DEBRA FREEMAN**

Upon: **UNITED WIRE, METAL AND MACHINE PENSION FUND**

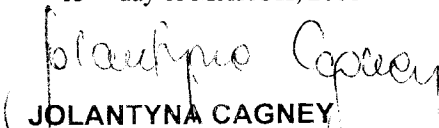
By delivering thereat a true copy to **HARVEY MORGAN (ADMINISTRATOR)** personally, who stated that he is the said individual *Authorized To Accept Service* thereof.

**DESCRIPTION** - Deponent describes the individual served or spoken to as follows:

Sex: **MALE** Color: **WHITE** Hair: **BROWN** App. Age: **45** App. Ht: **6'3"** App. Wt: **225**

Other identifying features:

Sworn to before me this  
13<sup>TH</sup> day of **MARCH, 2008**

  
**JOLANTYNA CAGNEY**  
NOTARY PUBLIC, State of New York  
No. 01CA6111489  
Qualified in New York County  
Commission Expires June 14, 2008

  
**ROBIN RAMSON 956-346**